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May 20, 2020

To:
Josep Borrell Fontelles
High Representative of
the EU for Foreign
Affairs and Security
Policy

To:
Nicos Anastasiades
President of the
Republic of Cyprus

To:
Kyriakos Mitsotakis
Prime Minister of
the Hellenic
Republic

To:
Benjamin Netanyahu
Prime Minister of Israel

RE: Demand for the cancellation of the agreements for training in the State of Israel of the security forces of Greece and Cyprus, following the West Bank annexation plan

1. This appeal is sent to you in the name of "Combatants for Peace", an Israeli-Palestinian NGO, which is committed to promoting peace and the ending of the Israeli military occupation of the West Bank and Gaza. The NGO's actions are based on building partnerships for a bi-national activity based on non-violence and activism.
2. On July 15, 2015, an agreement between the Israeli government and the Hellenic Republic was signed, regarding the training of their forces, and on February 24, 2016, a similar agreement was signed between the Israeli government and the Republic of Cyprus. Later, on November 23, 2017, these two agreements were enacted by legislation of the Israeli Knesset¹.
3. The agreements and the law enacted by the Knesset were intended to regulate various legal aspects relevant to military training of the armed forces of Cyprus and Greece in the territory of Israel, and vice versa, the military training of IDF soldiers in the territory of the two countries. Among other things, the conditions of entry and exit from the countries, the obligation to comply with the laws of the country hosting the training, permits to carry weapons, legal proceedings and responsibility.

¹ https://www.nevo.co.il/law_word/Law14/law-2671.pdf; https://fs.knesset.gov.il/20/law/20_lsr_395594.pdf;

4. The above agreements are an interesting historical development, in view of the political and military support of the State of Israel in the Regime of the Colonels in Greece, between the years 1967-1974, during the serious human and civil rights violations committed by this regime, and the sale of weapons by Israel to the Hellenic Army in Cyprus, which was responsible for the military coup d'état in the island in July 1974, which ousted Archbishop Makarios.
5. Sadly, the State of Israel announced that it plans to annex the West Bank, unilaterally, partially or fully, with the support of the US Trump Administration, in violation of international law, UN Security Council resolutions and the clear stance of the European Union.
6. Among other things, unilateral annexation would be a violation of a long list of UN Security Council resolutions (the last one was adopted on December 23, 2016 (resolution 2334²)), a violation of the provisions of the Convention Respecting Laws and Customs of War on Land and its annex (the Hague, 1907), the Fourth Geneva Convention Relative To the Protection of Civilian Persons in Time of War (1949) and the Charter of the United Nations (1945).
7. In addition, to the extent that the ethnic-national discrimination that already exists in the reality of the occupation is anchored by annexation laws enacted by the Knesset, the full or partial annexation of the West Bank could amount to a proclamation of a de-jure apartheid regime.
8. The crime of apartheid is considered a severe crime under international law. The international community, as expressed in the 1973 Convention on the Suppression and Punishment of the Crime of Apartheid³ (to this day, 108 states ratified the Convention), has recognized apartheid as a crime against humanity, the severity of which is in line with the crime of slavery and genocide. Even in the Rome Statute, signed on July 1998⁴, which established the International Criminal Court in The Hague, the crime of apartheid was recognized as a crime against humanity (Article 7(2)(h)).
9. Additionally, unilateral annexation would be regarded as an act of aggression, which violates the spirit and provisions of the United Nations Charter, and as a crime of aggression, according to article 8(2)(a) of the Rome Statute.
10. One of the parts of the West Bank agreed upon by both Israeli Prime Minister, Benjamin Netanyahu, and the Minister of Defense, Benjamin Gantz, that it should be annexed without delay, is the Jordan Valley, where some of the IDF's largest closed military areas designated for military training are located.

² <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>

³ <https://treaties.un.org/doc/Publication/UNTS/Volume%201015/volume-1015-I-14861-English.pdf>

⁴ <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>

11. For decades, the declarations of tens of thousands of dunams as closed military areas for training in the Jordan Valley, have been used to restrict the freedom of movement and the right of access of Palestinian shepherds and farmers to pastures and agricultural lands, so as to allow the expansion of the Israeli settlements and illegal outposts⁵.
12. The military training areas are defined as areas in which entry is only allowed by approval of the military commander, but in practice, the military orders that declare these closed areas are only enforced against Palestinians.
13. In recent years, "Combatants for Peace" have been monitoring the construction of new illegal Israeli outposts in the Jordan Valley, where Israeli authorities are not acting towards the demolition of the illegal structures or to prevent the settlers' stay over there (for example, the outpost built in the closed military area 903 and the Umm Zuqah nature reserve by the settler Uri Cohen, and the outpost built in the closed military area 900 by the settler Zuriel Lilienthal).
14. Palestinian shepherds who try to graze their flocks near the Israeli outposts are repeatedly arrested by the police and the IDF on the grounds that they entered a closed military area for training without a permit. Absurdly, many times it's the settlers who live inside the closed areas who call on the security forces to arrest the Palestinian shepherds.
15. "Combatants for Peace" activists are exposed daily to the severe humanitarian crisis caused by this discriminatory policy: poor communities of Palestinian shepherds cannot provide enough food for their herds and residents, and are forced to purchase food in other areas of the West Bank, causing high transportation costs; In addition, communities are often forced to pay large fines for freeing shepherds arrested or releasing agricultural vehicles confiscated by military authorities on grounds that they entered the closed military areas (for example, tractors).
16. Journalist Amira Hass disclosed on Haaretz on May 21, 2014, that Col. Einav Shalev, an operation officer of the Central Command, was addressing a subcommittee of the Knesset Foreign Affairs and Security Committee, who discussed "illegal Palestinian construction in area C", ways of expelling Palestinian residents, and how military training is used to prevent Palestinians from entering entire regions of the valley⁶: **"I think one of the good procedures that can slip through the fingers is the return of training areas to where they are supposed to be and are not there yet. (This) is one of the main reasons we are moving, as a military system, a lot of the training to the Valley. I mean, anyone looking at the last division exercise with fighter jets, helicopters and tanks that are shooting and so on, I try to go back decades back and not remember it. We are now putting in another division exercise in this space. This story of the battle for the closed military**

⁵ Kerem Navot, A LOCKED GARDEN - Declaration of closed areas in the West Bank (March 2015):
<https://www.keremnavot.org/a-locked-garden>

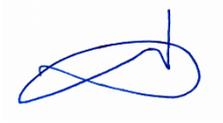
⁶ <https://www.haaretz.co.il/news/politics/premium-1.2327155>

training areas is more than the commission here and the excellent supervision work that Marco (Ben Shabbat, director of the Central Supervisory unit at the Civil Administration in Judea and Samaria, A" H) with us. I think the movement of Rekem (armored combat vehicle) and vehicles and all that stuff in this area and thousands of soldiers walking is moving sideways... When troops are on the move, people step aside, and I make no distinction between Jews and Palestinians, but I speak in general... In places where we significantly reduced the amount of training, weeds have grown."

17. In view of the unequivocal commitment of the security forces of Cyprus and Greece in the above agreements, to obey the laws of the State of Israel during their stay in its territories, they will not be allowed to refuse the training in the West Bank once it is legally annexed by the Knesset. That would hold even if by International law this legislation would not be valid.
18. It is inconceivable that armed forces of EU member states will conduct military training in the Occupied Territories and take an active part in the deportation and dispossession of the Palestinian population living near the closed military training areas in the Jordan Valley or any other part of the West Bank.
19. Under these circumstances, it is clear that any annexation must render null and void the aforementioned agreements for the military training of the Cypriot and Greek armed forces in the territory of the State of Israel, as the territory would unlawfully include parts of the West Bank.
20. It is important to note that joint military training by virtue of the above agreements is not really important for the security or the operational competence of the armed forces of the three countries. This training is mainly important for symbolic reasons, and is intended to showcase the fruits of their special ties to other countries of the region. Thus, in exception to the absolute secrecy in which the State of Israel practices with regard to its security relations with other countries, the agreements and training between Israel, Greece and Cyprus are widely publicized by the three governments.
21. While the termination of the aforementioned agreements is not expected to cause any real security damage to the three countries, the damage is to surpass the benefit for Cyprus, Greece and the European Union if the agreements remain in effect. On the other hand, for the State of Israel, even if the IDF does not require this training for its operational competency, the continued training by virtue of the agreements, will be of great symbolic importance, circumventing international law and ridiculing the EU's opposition to annexation.
22. In case Greece and Cyprus insist on continuing the aforementioned agreements, ignoring the trampling of international law by the State of Israel, through a unilateral decision to annex the West Bank, this will have serious implications for security, stability and peace throughout the world.

Indeed, other states and regimes will learn that the European Union policy and the international law can be circumvented by drawing up individual agreements with specific EU member states.

23. Since, according to the coalition agreement between Mr. Netanyahu and Mr. Gantz, the planned annexation date is July 1, we would appreciate your urgent response to this letter.



Eitay Mack, Adv.



Yonatan Gher
CEO Combatants
for Peace



Jamil Qassas,
Palestinian General
Coordinator
Combatants for Peace

Copies:

Mr. Binyamin Gantz, Minister of Defense
MK Zvi Hauser, chairman of Foreign affairs and Defense Committee
Lieutenant General Aviv Kochavi, Chief of General Staff of the IDF